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**Eric W. Cernyar, P.C.**

**ATTORNEY AT LAW & REGISTERED PATENT ATTORNEY**

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E-mail: [ecernyar@sa.tx.us](mailto:ecernyar@sa.tx.us)

10401 Fox Hollow  
San Antonio, TX 78217

Telephone: (210) 863-0063  
Facsimile: (210) 590-9473

**FAX COVER SHEET**

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DEC 19 2003

OFFICIAL

**DATE:** December 19, 2003  
**TO:** Examiner Vikkram Bali  
**FROM:** Eric Cernyar, Reg. No. 45,919  
**RE:** Power of Attorney in 09/488,390  
**FAX #:** (703) 872-9306

No of pages (including this cover sheet): ~~10~~ 9

**MESSAGE:**

Re: Applicant: David M. Tumey  
Serial No.: 09/488,390  
Filed: 1/19/2000  
Examiner: Vikkram Bali  
Art Unit: 2623  
Title: Animated Toy Utilizing Artificial Intelligence  
and Facial Image Recognition  
Our File No.: TUMEY.001

Enclosed please find:

1. Transmittal Form
2. Revocation of Power of Attorney;
3. New Power of Attorney;
4. 37 CFR 1.37(b) statement; and
5. Assignments (4 pages);

Items 2-5 of which were previously filed on May 11.

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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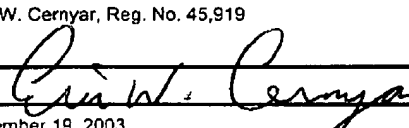
|   |                        |                 |
|---|------------------------|-----------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | Application Number     | 09/488,390      |
|   | Filing Date            | 1/19/2000       |
|   | First Named Inventor   | David M. Turney |
|   | Art Unit               | 2623            |
|   | Examiner Name          | Vikram Ball     |
|   | Attorney Docket Number | Turney.001      |
| Total Number of Pages in This Submission  |                        |                 |

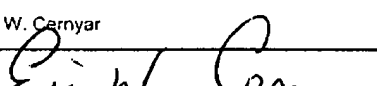
| ENCLOSURES (Check all that apply)   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input checked="" type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks   |  |  |

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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual name                    | Eric W. Cernyar, Reg. No. 45,919  |
| Signature                                  |  |
| Date                                       | December 19, 2003   |

| CERTIFICATE OF TRANSMISSION/MAILING   |   |      |                   |
|---|---|------|-------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |   |      |                   |
| Typed or printed name   | Eric W. Cernyar   |      |                   |
| Signature   |  | Date | December 19, 2003 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Please type a plus sign (+) inside this box → ☐

PTO/SB/82 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035  
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**REVOCATION OF POWER OF  
ATTORNEY OR  
AUTHORIZATION OF AGENT**

|                        |                  |
|------------------------|------------------|
| Application Number     | 09/488,390       |
| Filing Date            | January 19, 2000 |
| First Named Inventor   | David M. Tumey   |
| Group Art Unit         | 2623             |
| Examiner Name          | Ball, Vikram     |
| Attorney Docket Number | TUMEY.001        |

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

☒ A Power of Attorney or Authorization of Agent is submitted herewith.

OR

☐ Please change the correspondence address for the above-identified application to:☐ Customer Number 

OR

Place Customer  
Number Bar Code  
Label here☐ Firm or  
Individual Name

Address

Address

City

Country

State

ZIP

Telephone

Fax

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

Name David M. Tumey

Signature 

Date

5/6/03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of  forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

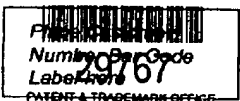
#16

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|  |                        |  |
|--|------------------------|--|
| <b>POWER OF ATTORNEY OR<br/>AUTHORIZATION OF AGENT</b> | Application Number     | 09/488,390                                     |
|  | Filing Date            | January 19, 2000                               |
|  | First Named Inventor   | David M. Tumey                                 |
|  | Title                  | Animated Toy Utilizing Artificial Intelligence |
|  | Group Art Unit         | 2623   |
|  | Examiner Name          | Bali, Vikkram                                  |
|  | Attorney Docket Number | Tumey.001                                      |

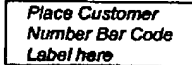
I hereby appoint:

☒ Practitioners at Customer Number  →   
 OR  
☐ Practitioner(s) named below:

| Name | Registration Number |
|------|---------------------|
|      |                     |
|      |                     |
|      |                     |
|      |                     |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.  
 OR  
☐ Practitioners at Customer Number  →   
 OR

☐ Firm or Individual Name

Address

Address

City

State

Zip

Country

Telephone

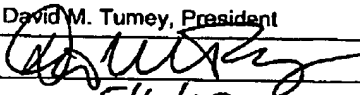
Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

|           |   |
|-----------|---|
| Name      | David M. Tumey, President   |
| Signature |  |
| Date      | 5/6/03  |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/96 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Intelligent Verification Systems, Inc.Application No./Patent No.: 09/488,390 Filed/Issue Date: 01/19/2000Entitled: Animated Toy Utilizing Artificial Intelligence and Facial Image RecognitionIntelligent Verification Systems, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: David M. Tumey To: Intelligent Verification Systems, Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: Tianing Xu To: Intelligent Verification Systems, Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

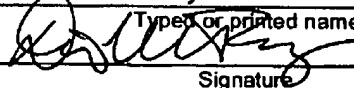
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

5/6/03

Date

David M. Tumey

Typed or printed name



Signature

President

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**ASSIGNMENT**

WHEREAS, I, David M. Tumey, a citizen of the United States, residing at 5018 Newcastle Lane, San Antonio, Texas 78249, (hereinafter referred to as the "Assignor") am an original joint inventor of a certain new and useful invention ANIMATED TOY UTILIZING ARTIFICIAL INTELLIGENCE AND FACIAL IMAGE RECOGNITION, the specification of which is filed herewith; and

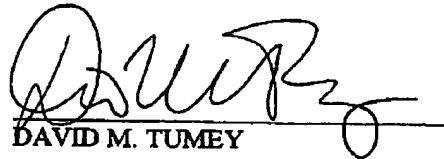
WHEREAS, Intelligent Verification Systems, Inc., a corporation organized under the laws of the State of Texas, whose address is 5018 Newcastle Lane, San Antonio, Texas 78249, (hereinafter referred to as the "Assignee") is desirous of obtaining the entire right, title and interest in, to and under the said improvements and the said application;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said Assignor, have sold, assigned, transferred and set over, and by these presents, do hereby sell, assign, transfer and set over, unto the said Assignee, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND, I hereby covenant that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

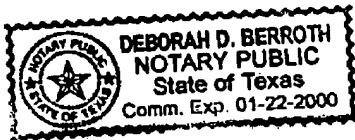
AND, I hereby further covenant and agree that I will communicate to the said Assignee, its successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, and generally do everything possible to aid the said Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent and similar protection for said improvements in all countries.

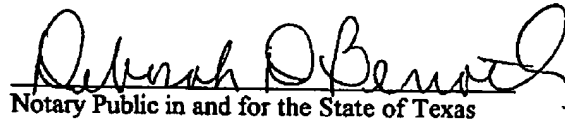
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 15 day of January, 1999.

  
DAVID M. TUMEY

STATE OF TEXAS       §  
                                  §  
COUNTY OF BEXAR   §

On this 15 day of January, 1999 before me, a Notary Public in and for the State and County aforesaid, personally appeared DAVID M. TUMEY, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



  
Notary Public in and for the State of Texas

### ASSIGNMENT

WHEREAS, I, Tianning Xu, a citizen of The People's Republic of China, residing at 400 West Bitters Road, San Antonio, Texas 78216, (hereinafter referred to as the "Assignor") am an original joint inventor of a certain new and useful invention ANIMATED TOY UTILIZING ARTIFICIAL INTELLIGENCE AND FACIAL IMAGE RECOGNITION, the specification of which is filed herewith; and

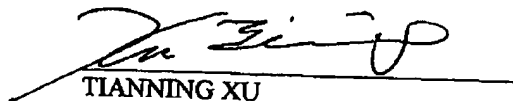
WHEREAS, Intelligent Verification Systems, Inc., a corporation organized under the laws of the State of Texas, whose address is 5018 Newcastle Lane, San Antonio, Texas 78249, (hereinafter referred to as the "Assignee") is desirous of obtaining the entire right, title and interest in, to and under the said improvements and the said application;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said Assignor, have sold, assigned, transferred and set over, and by these presents, do hereby sell, assign, transfer and set over, unto the said Assignee, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND, I hereby covenant that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

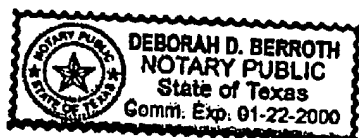
AND, I hereby further covenant and agree that I will communicate to the said Assignee, its successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, and generally do everything possible to aid the said Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent and similar protection for said improvements in all countries.

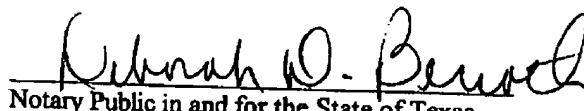
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19 day of January, 1999.

  
TIANNING XU

STATE OF TEXAS       §  
                             §  
COUNTY OF BEXAR   §

On this 19 day of January, 1999 before me, a Notary Public in and for the State and County aforesaid, personally appeared TIANNING XU, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



  
Notary Public in and for the State of Texas